

66202 U.S. PTO



05/29/97

REQUEST FORM FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 C.F.R. §1.62



05/29/97

1105 U.S. PTO  
08/865044

DOCKET NUMBER P58317US2 DATE OF FILING May 29, 1997 EXAMINER R. Bawa ART UNIT 1502

Address to:

Assistant Commissioner of Patents  
Box FWC  
Washington, D.C. 20231

Sir:

This is a request for filing a:

   continuation-in-part  
X continuation

application under 37 C.F.R. §1.62 of prior application Serial No. 08/574,689, filed on December 19, 1995, entitled DEVICE FOR DISPENSING A THERAPEUTIC OR COSMETIC SUBSTANCE, THE INERT VEHICLE OF WHICH IS A VOLATILE POLYDIORGANOSILOXANE, AND COMPOSITION INTENDED TO BE USED IN THE DEVICE, by the following inventor(s).

Full Name of Inventor: APPINO Jim [Second Given Name]  
[Family Name] [Given Name]

\* \* \*

Full Name of Inventor: AIACHE Jean-Marc [Second Given Name]  
[Family Name] [Given Name]

\* \* \*

The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred is hereby expressly abandoned as of the filing date of this new application. Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application. (Note: 37 C.F.R. §1.60 may be used for applications where the prior application is not to be abandoned.)

1. X Enter the Amendment previously filed on April 29, 1997, under 37 C.F.R. §1.116, but unentered, in the prior application.
2.    A Preliminary Amendment is enclosed.

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**May 29, 1997**  
**Atty. Dock t No. P58317US2**

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

		<u>Small Entity</u> \$385.00	<u>Large Entity</u> \$770.00
Basic Fee			
Total Claims	14 - 20 =	x 11 = \$	x 22 = \$
Ind. Claims	2 - 3 =	x 39 = \$	x 78 = \$
Multiple Dependent Claims		<u>x125 = \$</u>	<u>x250 = \$</u>
		<b>TOTAL</b>	<b>TOTAL \$770.00</b>

3. X The Commissioner is hereby authorized to charge fees under 37 C.F.R. §1.116 and 1.117 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. X A check in the amount of \$770.00 is enclosed.
5.      A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.
6. X Amend the specification by inserting before the first line the sentence:  
  
 -- This application is a continuation of application serial number 08/574,689, filed December 19, 1995, which is a divisional of application serial 08/291,434, filed August 16, 1994, issued as U.S. Pat. No. 5,582,815.--
7.      A verified statement claiming small entity status:  
     is enclosed  
     was filed in prior application Serial No.                     ,  
     filed                     .
8. X Priority of France application Serial No. 93 10075, filed on August 18, 1993 is claimed under 35 U.S.C. §119.
9. X The prior application is assigned of record to:  
  
Laboratoires CILAG.
10. X The Power of Attorney in the prior application is to at least one of the following:

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Atty. Dock t No. P58317US2

William E. Player, Reg. No. 31,409, Harvey B. Jacobson, Jr., Reg. No. 20,851; D. Douglas Price, Reg. No. 24,514; John C. Holman, Reg. No. 22,769; Marvin R. Stern, Reg. No. 20,640; Michael R. Slobasky, Reg. No. 26,421; Jonathan L. Scherer, Reg. No. 29,851; Stanford W. Berman, Reg. No. 17,909; and Irvin M. Aisenberg, Reg. No. 19,007.

11. X Information Disclosure Statement (IDS) is attached.  
12.      Also enclosed is:

Address all future correspondence to:

JACOBSON, PRICE, HOLMAN & STERN, PLLC  
The Jenifer Building  
400 Seventh Street, N.W.  
Washington, D.C. 20004-2201  
Telephone: (202) 638-6666

It is understood that secrecy under 35 U.S.C. §1.22 is hereby waived to the extent that, if information or access is available to any one of the applications in the file wrapper of a 37 C.F.R. §1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark office may provide similar information or access to all the other applications in the same file wrapper.

JACOBSON, PRICE, HOLMAN & STERN, PLLC

By William E. Player  
William E. Player  
Reg. No. 31,409

Date: May 29, 1997